

**Conservation Commission Meeting**  
Tuesday, April 22, 2025 at 6:30 PM  
Town Hall: Second Floor Meeting Room, 173 Main Street Groton, MA  
**OPTION TO JOIN REMOTELY**

**Present:** Bruce Easom, Chair; Larry Hurley, Vice Chair; Olin Lathrop, John Smigelski, Peter Morrison

**Absent:** Alison Hamilton, Kim Kuliesis, Clerk

**Others Present:** Charlotte Steeves, Conservation Administrator

**B. Easom opened the meeting at 6:30 PM.**

**1. APPOINTMENTS AND HEARINGS\***

**6:30 PM- Continued Public Hearing- Notice of Intent- Off Worthen Drive- DEP#169-1278**

Applicant: Jodi Gilson, Representative: Frank Mcpartland, Dillis & Roy Civil Design Group

The applicant requested a continuance.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to continue the public hearing to the next scheduled meeting on May 13, 2025.

**The motion passed unanimously. 5-0**

**6:32 PM- Continued Public Hearing- 6 Island Road- DEP# PENDING**

Applicant: Megan and Jessie Cotter, Representative: Dan Memont, Design Dynamics

The applicant requested a continuance.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to continue the public hearing to the next scheduled meeting on May 13, 2025.

**The motion passed unanimously. 5-0**

**6:40 PM- Continued Public Hearing- Notice of Intent- 63 Gratuity Road- DEP# PENDING**

Applicant: Routhier & Roper Gratuity Road LLC; Representative Matthew Waterman, Landtech Consultants

The applicant requested a continuance.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to continue the public hearing to the next scheduled meeting on May 13, 2025.

**The motion passed unanimously. 5-0**

**6:50 PM- Request for Determination of Applicability- 1 Dan Parker Road**

Applicant: Carl Flowers

A representative, on behalf of his client, requested approval to open the tree canopy in order to increase sunlight exposure for the Christmas tree plantation.

O. Lathrop requested clarification regarding the two drawings presented. The representative responded that the second drawing should be disregarded. O. Lathrop then referred to Agricultural Exemptions and reviewed the guidelines from the Department of Environmental Protection. He recommended the use of a survey or map to clearly identify the edge of the field and avoid encroachment into wetland areas. He noted that aerial photographs or measurements taken from a nearby stream may also be acceptable delineation methods.

Under the exemptions, it was stated that a homeowner is permitted to remove trees within 100 feet of land in production, but no closer than 25 feet from the bank of a water body. It was confirmed that there is an intermittent stream and a small pond located on the parcel.

B. Easom noted that there are small areas that may fall under jurisdiction and suggested the possibility of retaining some snags or slash to support wildlife habitats

Upon a motion by P. Morrison, seconded by L. Hurley, it was:

Voted to issue a Negative 5 Determination under the conditions: 1. No trees are to be cut within 25 feet of the bank of the water body.

**The motion passed unanimously. 5-0**

#### **7:00 PM- Emergency Certification- 94 Lovers Lane- Beaver Dam Removal**

Applicant: Sean Campbell, Groton Country Club

C. Steeves was notified about severe flooding on the first hole of the Groton Country Club golf course. Sean Campbell secured the required permit from the Board of Health to trap the beavers and then requested emergency approval to remove the beaver dam.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:  
to ratify the Emergency Certificate for 94 Lovers Lane.

Voted

**The**

**motion passed unanimously. 5-0**

#### **7:05 PM- Retroactive Request for Determination of Applicability- 94 Lovers Lane- Beaver Dam Removal**

Applicant: Sean Campbell

C. Steeves informed the Commission that the beaver dam was removed manually following the issuance of the emergency certificate. Only one beaver was trapped, and there have been no further signs of activity.

O. Lathrop requested that the beaver trap be removed from the water.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to issue a Negative 2 Determination under the conditions: 1. The trap is to be removed.

**The motion passed unanimously. 5-0**

#### **7:30 PM- 500/492 Main Street Wetland Analysis for UMass Memorial Site**

Brittany Gesner, Civil Engineer, VHB; Brian Butler; Chris Anderson, property manager for UMass Memorial; John Amaral, Property owner

Brittany Gesner presented on behalf of her clients to informally discuss the proposed project at 500/492 Main Street. She emphasized the importance of the project's timeline, noting that it is being driven by the state due to the urgent need for a new emergency facility following the closure of Nashoba Valley Hospital in the summer of 2024. A working group was formed in October 2024, and by January 2025, UMass Memorial Health had committed to building a standalone emergency facility. It was noted that Mark Haddad, Town Manager, and Art Cheeks, Fire Department Chief, are members of the working group. Construction is anticipated to begin in fall 2025 and the facility is expected to open in 2026.

The proposed site, which is centrally located among nine regional towns, spans seven acres. One key challenge is the presence of a wetland in the middle of the property, which is also within an Area of Critical Environmental Concern (ACEC). The project will be completed in two phases: Phase One will include the construction of a 24/7 emergency facility, while Phase Two will involve a separate medical office building. A helipad is also proposed. Although significant work is planned within the wetland buffer zone, there would be no direct impact on the wetland itself. The project aims to embrace the surrounding natural environment, including planting native and pollinator-friendly species

O. Lathrop identified the three relevant parcels using the Groton GIS and confirmed that the Department of Environmental Protection (DEP) does not currently classify the area as a wetland. However, due to the installation of a pipe by a private individual, the site has now become jurisdictional. He referenced the Groton Bylaws, including the 50-foot no-touch zone, and recommended modifying the proposed plan to relocate the structure farther from the wetland. He also encouraged creative mitigation measures, such as removing invasive species and planting native vegetation to ensure that the wetland remains in a natural state.

B. Gesner expressed that maintaining vehicular connectivity on the site is critical.

L. Hurley noted that much of the proposed hardscape consists of sidewalks and asked whether it could be made permeable. B. Gesner raised concerns about the long-term maintenance of such materials. L. Hurley also questioned whether there was room to reduce the size of the proposed stormwater basin.

J. Smigelski asked if the property lines could be altered. B. Gesner confirmed that they could not.

P. Morrison acknowledged the importance of the proposed emergency service facility and expressed a willingness to consider all suggestions.

B. Easom stated that the wetland area cannot be filled because it is part of an Area of Critical Environmental Concern (ACEC). He inquired whether placing the helipad on the roof had been considered. B. Gesner confirmed that all alternative options had been explored. She noted that the site presents a 50-foot grade change, adding complexity to the project. B. Easom warned that surrounding the wetland with impervious surfaces could lead to increased heat and runoff, and recommended directing water away from the area to protect birds, amphibians, and insects.

C. Steeves suggested that creating a replication area would be beneficial.

John Amaral concluded that the feedback provided during the meeting was valuable and expressed hope that many of the concerns and suggestions would be addressed prior to the formal filing, which is expected in July.

### **7:45 PM- Request for Determination of Applicability- Sargisson Beach Security Upgrades Project**

Applicant: Town of Groton; Representative: Larry Hurley

Larry Hurley was present to propose the placement of a conex (steel shipping) container in the parking lot at Sargisson Beach to house wiring and equipment for new Wi-Fi security cameras. The plan includes digging a small trench—with minimal disturbance—from the parking lot, through the wooded area, down to the beach to install the necessary wiring. L. Hurley cited ongoing issues with trash accumulation at the beach, which previously led to a one-month closure. He emphasized that recent conditions have improved, with minimal trash observed.

O. Lathrop questioned whether the container could be placed off to the side rather than occupying a parking space. L. Hurley responded that there is sufficient parking, and the loss of one space would not be significant. However, O. Lathrop suggested using an off-the-shelf garden shed instead of a shipping container, noting that the proposed \$10,000 expense seemed too high.

Other Commission members briefly discussed the suggestion of a garden shed, but several felt it would not be suitable for the intended purpose. Planting trees around the container for aesthetic reasons was generally supported.

C. Steeves clarified that the total cost of the steel container and associated work is approximately \$5,500. She also noted there is extra room in the budget for plantings and that Natural Heritage approval would be required.

J. Smigelski suggested that the container could also be used for storage purposes.

B. Easom inquired about the camera specifications, asking whether they would be powered by 12 or 24 volts. It was confirmed that wire tubing will be installed as part of the project

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:  
Voted to issue a Negative 3 Determination.

**The motion passed unanimously. 5-0**

## **2. GENERAL BUSINESS**

### **2.1. General Discussions/Announcements**

#### **84 Maplewood Ave Survey and Plans**

Paul Benoit, the homeowner, was present to propose erosion control measures on his property by filling the eroded area and installing a 16-foot-long, 10 inches thick wall. He referenced a neighboring property where a similar cement wall had been installed successfully.

C. Steeves recommended that P. Benoit return for further discussion after the Commission received the survey conducted by Dillis & Roy Civil Design Group, as previously requested. She advised that a Notice of Intent (NOI) should be filed and that the proposed wall should be designed for improved stabilization.

O. Lathrop inquired about when the land was last stable. P. Benoit responded that he had lived at the property for nine years and noted that the original wall had already begun deteriorating at the time of purchase.

The Commission agreed that the proposed wall should be constructed to ensure long-term durability. P. Morrison reiterated his suggestion to face the wall with natural stone to help minimize future erosion.

L. Hurley recommended using hard concrete behind the stone facing and incorporating a spread footing for added stability.

The applicant also discussed plans related to the driveway and stated that some of the fill material may be used on an island on the property

### **Discussion on Paquawket Easement**

Paul Funch attended the meeting to discuss the Right of Way (ROW) easement off Paquawket Path. He explained that the ROW runs along the side of a private driveway and serves as an important public access point to the Nashua Rail Trail. P. Funch provided a brief historical overview, noting that the easement dates back to 1979 and was approved as part of the property deed. He also mentioned that the easement has been reviewed by Town Counsel. Although the access is used regularly, P. Funch emphasized that it is not easily identifiable without appropriate signage. He proposed an action plan that includes reaching an agreement on the number and size of the signs, along with holding a public hearing to allow abutters to comment and share feedback. He added that a land survey would not be necessary unless the abutting homeowners cannot reach an agreement.

B. Easom inquired about the nature of the proposed agreement and with whom it would be established with. P. Funch clarified that the agreement would be with the abutting property owner. B. Easom recommended that P. Funch consider initiating a private conversation with the homeowner to negotiate a resolution prior to scheduling a public hearing.

J. Smigelski asked whether the driveway in question is part of the Right of Way. P. Funch confirmed that it is.

B. Easom noted that two markers had previously been placed along the trail but were subsequently removed.

O. Lathrop suggested that the Commission designate an official representative to serve as the primary contact for communicating with the abutters and facilitating negotiations.

Upon a motion by O. Lathrop, seconded by L. Hurley, it was: Voted  
to authorize Bruce Easom to represent the Conservation Commission in  
contacting the landowners regarding the Paquawket Easement.  
**The motion passed unanimously. 5-0**

**Update: 297 Main Street**

C. Steeves reported that the culvert is not owned by the Town and is maintained by the State. The Commission recommended that the Conservation Administrator contact Mass DOT District 3, the homeowner to clarify the purpose of the blue hose, and Tom Orcutt, Director of the Water Department, to provide background on the work previously conducted on the water main.

***Invasive Species Workshop at NRWA***

C. Steeves reported that she received an email requesting one representative from the Commission to attend the NRWA workshop. O. Lathrop volunteered to serve as the Conservation Commission's representative.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was: Voted  
to nominate Olin Lathrop to represent the Conservation Commission at the  
Invasive Species Workshop at NRWA.  
**The motion passed unanimously. 5-0**

***Update: 54 Hill Road Enforcement Order***

C. Steeves informed the Commission that the enforcement order had been issued and that a response letter was received from the homeowner who disputed the Commission's findings. Mr. Hahn declined to attend the meeting. His letter was read into the record and included references to Charter Chapter 137, asserting his right to conduct farming operations with minimal interference from abutters and town agencies. He also stated that he is in compliance with Chapter 61A, holds three active permits, and disputed that there are no vernal pools on the property subject to regulatory protection.

C. Steeves noted that she had forwarded the correspondence to the Town Counsel for review.

B. Easom asked for clarification on which parcels are under agricultural exemption and what specific rules and regulations apply.

J. Smigelski commented that if activity occurred within 100 feet of the field edge, some of the clearing might be understandable, but he expressed concern about the alterations to the pond.

L. Hurley raised questions regarding historical aerial photographs of the land, particularly regarding Parcel 82.

P. Morrison remarked that many of the issues could be resolved through an on-site visit to the property.

O. Lathrop stated that several assumptions made in the homeowner's letter appear to be incorrect. He pointed out that under Section 10.4, activity may occur up to 25 feet from a wetland, and that the cleared area was not adjacent to a hayfield. He emphasized the need to determine what work is jurisdictional and what is not, and suggested collaboration with the Department of Environmental Protection (DEP). If necessary, he proposed involving an Environmental Police Officer for enforcement.

B. Easom recommended that no further action be taken until consultation with both the DEP and Town Counsel is completed.

### ***16 West Main Street***

C. Steeves stated that there are no new updates; a letter was sent, but no response has been received.

### ***309 Boston Road***

C. Steeves reported that payment for the issued fine has not been received. She will follow up with the district court to confirm whether the homeowner has requested an appeal. The Commission agreed that the fining process should proceed and be carried through to completion.

### ***Status of Commission Member***

B. Easom expressed a desire for assurance that Alison Hamilton would be able to participate in future Conservation meetings, noting her repeated absences. He also suggested that, if participation cannot be ensured, the Select Board should consider appointing a new member.

## **2.2. Committee Updates**

L. Hurley reported that the Sargisson Beach Committee conducted a beach cleanup over the weekend, with help from Groton School students.

B. Easom reminded the Commission that the Spring Town Meeting will take place this Saturday, April 26, 2025, and that the Conservation Commission's CPA funding article would be up for a vote.

O. Lathrop stated that the Invasive Species Committee may potentially conduct treatment in the Barberry-infested area of the Lawrence Woods Hemlock Grove; however, no specific schedule has been established at this time.

B. Easom and K. Kuliesis visited the Priest parcel and shared that the Stewardship Committee plans on including the property on the upcoming list of land management recommendations.

C. Steeves announced that the Stewardship Committee would be conducting a site walk at Nipmuc Meadows on May 17, 2025.

## **2.3. Land Management & Acquisition**

### ***Nipmuc Meadow***

O. Lathrop reported that the Fire Department recently carried out a controlled burn on the parcel, covering a larger area than in previous years.

**2.4. Approve Meeting Minutes**

Upon a motion by L. Hurley, seconded by J. Smigelski, it was:  
Voted to approve the meeting minutes for April 8, 2025 as amended.  
**The motion passed unanimously. 5-0**

Upon a motion by P. Morrison, seconded by L. Hurley, it was:  
Voted to approve the meeting minutes for April 16, 2025 as drafted.  
**The motion passed unanimously. 5-0**

**2.5. Approve Invoice**

Upon a motion by L. Hurley, seconded by P. Morrison, it was: Voted  
to approve and pay the invoice from the Groton Herald in the amount of \$131.25.  
**The motion passed unanimously. 5-0**

**3. Open Session for topics not reasonably anticipated 48 hours in advance of meeting\***

**4. Executive Session pursuant to MGL Ch. 30A, Sec. 21(6): \* “To consider the purchase, exchange, lease, or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.”**

Unnecessary

**5. Adjournment**

**8:53 PM**

Upon a motion by J. Smigelski, seconded by P. Morrison, it was:  
Voted to adjourn the meeting.  
**The motion passed unanimously. 5-0**

**APPROVED: 5/13/2025**